

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Roger D. Waldner, Plaintiff, pro se, U.S.M. 09797-029, :
Federal Prison Camp, P.O. Box 1000, Loretto, PA 15940, :

vs.

United States Department of Justice, (United States
Attorney's Office) and Eric Holder, 600 E. Street, N.W
Suite 7300, (Executive Office for the United States
Attorneys Office) Bicentennial Building, Washington, :
DC 20530. :

Case: 1:13-cv-00032

Assigned To : Bates, John D.

Assign. Date : 1/7/2013

Description: FOIA/Privacy Act

: TRIAL BY JURY DEMAND

:
:
:

"FOIA CIVIL COMPLAINT"

COMES NOW the Plaintiff, ROGER D. WALDNER, pro se, at Federal Prison Camp-
Loretto, U.S.M. Number 09797-029, P.O. Box 1000, Loretto, PA 15940-1000 and for
his cause of Action States the Follows:

GENERAL ALLEGATIONS

1. This Court has Jurisdiction in this Matter pursuant to 28 U.S.C.
§ 1331, 1346(a)(2), 1657(a) and 5 U.S.C. § (a)(4)(B).
2. Venue is proper in this Court pursuant to 28 U.S.C. § 1391(e)(1).
3. Plaintiff ROGER D. WALDNER is a Citizen and Resident of the United
States and Loretto, (Cambria County), Pennsylvania.
4. The United States Department of Justice, United States Attorney's
Office (herein after "DOJ") is a Governmental entity doing Business in
all of the United States of America, including the District of Columbia
and having its Principle Place of Business at United States Department
of Justice (Executive Office for United States Attorneys), Suite 7300,
Bicentennial Building, 600 E. Street, N.W., Washington, DC 20530, and
Eric Holder.
5. This is an Action pursuant to the Freedom of Information Act
("FOIA"), 5 U.S.C. § 552, 552(a), 28 U.S.C. § 1657(a) and Article II of

the United States Constitution, for Injunctive Relief, Declaratory Judgment and Other Appropriate Relief; and seeking Immediate Processing and Release of Agency Records Requested by the Plaintiff, ROGER D. WALDNER, pro se, from the Defendant, DOJ or a Declaratory Judgment as to the non-existence of such Documents.

6. FOIA gives a Citizen, here ROGER D. WALDNER, the Right to seek access to the Records of the DOJ.

7. The basic purpose of FOIA is to ensure an Informed Citizenry,. which is essential to check against Corruption and hold those who Govern accountable to the Governed - a practice that is fundamental to the functioning of a Democratic Society.

FACTS

8. On June 27, 2011, the Plaintiff Filed a FOIA Request with the DOJ seeking Documents related to Solace Transfer Co., an Illinois corporation, pursuant to IL.C.S. 5/____ Business Corporation Act of 1983, specifically, to 5/8.50. See Exhibit 1, p.1 (FOIA Documents Request Letter dated June 27, 2011).

9. On June 28, 2011, the Plaintiff Filed a FOIA Request with the DOJ seeking Documents related to Nationwide Cartage Company, an Iowa corporation, pursuant to Chapter 490 Business Corporations Iowa Code 2003, specifically, to the Iowa Statutes. See Exhibit 4, pp.1-2 (FOIA Documents Request Letter dated June 28, 2011).

10. Both the June 27 and June 28 2011, Requests were made under 28 U.S.C. § 1657(a), seeking Expedited Processing.

11. Plaintiff received no Response to either Request within 60 Days of of their Filing.

12. Plaintiff considered the lack of Response to be a Constructive Denial on the Part of DOJ.

13. On September 4, 2011, the Plaintiff Filed an Appeal of both Requests with the Office of Information Policy, pursuant to 28 C.F.R. § 16.9. See Exhibit 2, pp.1-3 (FOIA Appeal Documents Request Letter dated September 4, 2011).

14. On September 26, 2011, the DOJ provided a one (1) page Document along with a Cover Letter indicating this was a Full Release of all Documents in their Possession. With Respect to Request 11-2710 (the June 27, 2011 Request Exhibit 1). See Exhibit 3, pp.1-3 (DOJ Letter dated September 26, 2011).

15. The provided Document was not Responsive to the Request (Exhibit 1). It was for a Company with a similar name. See Exhibit 3, p.3 (An Incomplete Corporate Resolution for Solace Transfer, A Division of Dubuque Logistics, Inc.).

16. The Company named Solace Transfer, A Division of Dubuque Logistics, Inc. does not exist. See Exhibit 5, pp.1-2 attached.

17. On September 30, 2011, the DOJ sent the Plaintiff a Letter asking for additional funds to cover the time involved in Seaching and Cost of Copies, with respect to FOIA Request Exhibit 4. The Plaintiff promptly executed an affirmative reply and sent in executed Request; on or about October 24, 2011. See Exhibit 6, pp.1-2 (September 30, 2011 DOJ Letter) and (Reply p.2 executed by Roger D. Waldner).

18. On September 24, 2012, nearly a year after the Plaintiff executed the Request by the DOJ, the DOJ sent a Letter and Five one (1) page

Documents, indicating that this was a Full Release of all Documents in their Possession. With Respect to Request 11-2498 (the June 28, 2011 Request Exhibit 4). See Exhibit 7, pp.1-7 (DOJ Letter of September 24, 2012).

19. The Company named Nationwide Cartage, Inc. does not exist.

20. None of the included Documents in (Exhibits 3 and 7) are Responsive to the Requested Documents in (Exhibits 1 and 4) by Plaintiff.

21. The DOJ has previously indicated these Documents were in their Possession since at least May 6, 2006.

22. It is apparent that the DOJ has no intention of providing the Requested Documents in Plaintiff's Exhibits 1 and 4.

COUNT 1 - Failure To Comply With "FOIA" Request.

23. Under 5 U.S.C. § 552, all Administrative Remedies offered by an Agency must be exhausted prior to bringing any litigation.

24. An Agency's Failure to Comply within the time limits set for an initial Request may be treated as a Constructive Exhaustion.

25. The Plaintiff Filed an Appeal of the Constructive Denial in this Matter as Required under 28 C.F.R. § 16.9.

26. The DOJ Responded to the Appeal by providing Documents to Plaintiff. The DOJ indicated they provided all Responsive Documents and had no further Responsive Documents in their Possession.

27. Further Administrative Appeal would not be likely to Produce any additional Production of Documents.

28. Based on prior Statements of the DOJ, Plaintiff has reason to believe that the DOJ is in Possession of additional Responsive Documents which have not been Produced.

29. The Defendant (DOJ) has not Complied with the Plaintiff's FOIA Requests Exhibits 1 and 4.

30. There has been an Exhaustion of Administrative Remedies.

31. Accordingly, this Suit is Ripe and the District Court may enjoin the Defendant (DOJ) to Comply with it's Obligation under "FOIA."

CONCLUSION

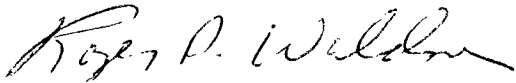
WHEREFORE, the Plaintiff, ROGER D. WALDNER, pro se, Demands that the Court enter an Injunction and Other Relief as appropriate to Defendant (DOJ) to immediately Release all Documents in their Possession which are Responsive to the Plaintiff's Two (2) Requests; Included but not limited to:

- A. All Documents that show ROGER D. WALDNER was elected as an Officer of Solace Transfer Co., an Illinois corporation;
- B. All Documents that show Galley W. Smith was elected as an Officer of Solace Transfer Co., an Illinois corporation;
- C. All Documents that show ROGER D. WALDNER held any Legal Ownership Interest, in any Form, in Nationwide Cartage Company, an Iowa corporation; and
- D. All Documents that show ROGER D. WALDNER and Galley W. Smith were Officers of Nationwide Cartage Company, an Iowa corporation.
- E. All Documents that show ROGER D. WALDNER was an Officer, Director, Employee or Member of Nationwide Cartage Company, an Iowa corporation.

Or in the alternative the Entry of a Declaratory Judgement by this Court Finding that the Defendant (DOJ) at no time has been in Possession of any Documents Responsive to the Plaintiff's Requests. Plaintiff further Requests that the Defendant (DOJ) be required to pay all of the Plaintiff's costs in bringing this Litigation. **Trial by Jury Demanded.**

Dated October 22, 2012.

Respectfully submitted,



Roger D. Waldner, Plaintiff, pro se,
U.S.M. No. 09797-029
Federal Prison Camp-Loretto
P.O. Box 1000
Loretto, PA 15940-1000

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing Documents were served by first class mail, postage prepaid on 22, day of October, 2012 to the following: Clerk's Office, District of Columbia Circuit, E. Barrett Prettyman United States Courthouse, 333 Constitution Avenue, N. W., Room 5523, Washington, DC 20001.

Respectfully submitted,



Roger D. Waldner, Plaintiff, pro se
(Certified Mail Number 7099-3400-0009-3072-4700)

CERTIFICATE OF SERVICE

I, Roger D. Waldner, pro se, certify that on October 22, 2012,
I mailed, via USPS postage prepaid, a copy of these Documents to:

⇨09797-029⇨

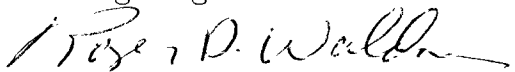
Us Clerk Office
District OF Columbia CIR.
333 Constitution AVE NW
US Courthouse, RM. 5523
Washington, DC 20001
United States

Documents Enclosed:

1. Civil Cover Sheet, p.1
2. Civil Complaint, p.1-6
3. Exhibit 1, p.1
4. Exhibit 2, p.1-3
5. Exhibit 3, p.1-3
6. Exhibit 4, p.1-2
7. Exhibit 5, p.1-2
8. Exhibit 6, p.1-2
9. Exhibit 7, p.1-7

PROOF OF SERVICE FOR INSTITUTIONALIZED OR INCARCERATED LITIGANTS:

I certify that these Documents above were put into the Federal Prison
Mail Box System (Sulik Rule) on October 22, 2012, for forwarding
to the addresses listed above. I certify under penalty of perjury that
the foregoing is true and correct, pursuant to 28 U.S.C. § 1746.


Roger D. Waldner, pro se

"FOIA DOCUMENT(S) REQUEST"

Disclosure Officer
Freedom of Information Act/Privacy Act Unit
Executive Office for the United States Attorney General
600 E. Street, N.W. Rm. 7300
Washington, DC 20530

Name: Roger D. Waldner; U.S.M. No: 09797-029; Address:
Federal Prison Camp-Loretto, P.O. Box 1000, Loretto, PA 15940-
1000; Birthdate: 2-14-63; Birthplace: Beadle County, Huron, SD;
Social Security No. 503-90-5261.

This is a request under The Freedom of Information Act, 5
U.S.C. § 552; The Privacy Act, 5 U.S.C. § 552(a); and pursuant
to 28 U.S.C. § 1657(a), Expedited.


I promise to pay up to \$25.00 in fees, but only if informed
before your search of the estimated fees. This request is made
for my personal non-commercial use.

I request a copy of the following DOCUMENT(S): Held at the
U.S. Attorney's Office at 401 1st Street SE, Suite 400 Cedar
Rapids, IA 52401; Criminal Case No: 06-cr-01019-LLR and Civil
No: 10-cv-1003-LLR.

1. A copy of any Document(s) which shows that Roger D. Waldner
was Elected by the Board of Directors of Solace Transfer Co., an
Illinois Corporation, as an Officer of that Company on or before
July 18, 2002, pursuant to I.C.S. 5/8.50;
2. A copy of any Document(s) which shows that Galley W. Smith
was Elected by the Board of Directors of Solace Transfer Co., an
Illinois Corporation, as an Officer of that Company on or before
July 18, 2002, pursuant to I.C.S. 5/8.50;
3. A copy of any Document(s) that shows the Minutes of the
Meeting that Appointed Roger D. Waldner and Galley W. Smith, as
Officers, of Solace Transfer Co. by its Board of Directors,
pursuant to I.C.S. § 805 ILCS 5/___ Business Corporation Act of
1983.

I declare under penalty of perjury that the foregoing is
true and correct to the best of my knowledge, and that I am the
person named above, pursuant to 28 U.S.C. § 1746, DATED June
27, 2011.

Respectfully submitted,


Roger D. Waldner, pro se, 09797-029

7010 1870 0003 2518 6780

EXHIBIT 1

TRULINCS 09797029 - WALDNER, ROGER - Unit: LOR-C-A

FROM: 09797029

TO: Office of Information Policy, US Department of Justice

SUBJECT: " FOIA APPEAL DENIAL(S) AS OF SEPTEMBER 4, 2011 "

DATE: 09/04/2011 11:08:32 AM

" FOIA APPEAL "

DISCLOSURE OFFICER

OFFICE OF INFORMATION AND PRIVACY

UNITED STATES DEPARTMENT OF JUSTICE

1425 NEW YORK AVENUE, SUITE 11050

WASHINGTON, DC 20530-0001

RE: " EXPEDITED FOIA APPEAL " AS OF SEPTEMBER __04__, 2011. 7008 1830 0002 7304 2555

DEAR FOIA APPEAL DISCLOSURE OFFICER,

ROGER D. WALDNER, U.S.M. No. 09797-029, FEDERAL PRISON CAMP-LORETTO, P.O. BOX 1000, LORETTO, PA 15940-1000, D.O.B. 2/14/63, BEADLE COUNTY, HURON, SOUTH DAKOTA, S.S. # 503-90-5261.

THIS IS AN APPEAL UNDER THE FREEDOM OF INFORMATION ACT 5 U.S.C. ss. 552; PRIVACY ACT 5 U.S.C. ss. 552(a); AND PURSUANT TO 28 U.S.C. ss. 1657(a) EXPEDITED APPEAL OF MY SIX (6) MULTIPLE REQUEST(S) LISTED BELOW DATED: "1-6."

1. FOIA REQUEST OF JUNE 27, 2011 CONSISTING OF 1 PAGE MARKED AS (EXHIBIT 1); CERTIFIED US MAIL RECEIPT NO. {7010-1870-0003-2518-6780} MARKED AS (EXHIBIT 2); AND USPS TRACK & CONFIRM STATUS REPORT MARKED AS (EXHIBIT 3).

1(a). DELIVERED, AUGUST 01, 2011, 11:02 AM, WASHINGTON, DC 20530 (EXHIBIT 3).

2. FOIA REQUEST OF JUNE 28, 2011 CONSISTING OF 2 PAGES MARKED AS (EXHIBIT 4 & 5); CERTIFIED US MAIL RECEIPT NO. {7010-1870-0003-2518-5325}; AND USPS TRACK & CONFIRMED STATUS REPORT MARKED AS (EXHIBIT 6).

2(a). DELIVERED, JULY 18, 2011, 11:24 am, WASHINGTON, DC 20350.

3. FOIA REQUEST OF JUNE 29, 2011 CONSISTING OF 1 PAGE MARKED AS (EXHIBIT 7); CERTIFIED US MAIL RECEIPT NO. {7010-1870-0003-2518-5424} MARKED AS (EXHIBIT 8); AND USPS TRACK & CONFIRMED STATUS REPORT AS (EXHIBIT 9).

3(a). DELIVERED, JULY 12, 2011, 11:57 am, WASHINGTON, DC 20530.

4. FOIA REQUEST OF JUNE 29, 2011 CONSISTING OF 1 PAGE MARKED AS (EXHIBIT 10); CERTIFIED US MAIL RECEIPT NO. {7010-1870-0003-2518-5684} MARKED AS (EXHIBIT 11); AND USPS TRACK & CONFIRMED STATUS REPORT AS (EXHIBIT 12).

4(a). DELIVERED, JULY 12, 2011, 11:57 am, WASHINGTON, DC 20530.

EXHIBIT 2

TRULINCS 09797029 - WALDNER, ROGER - Unit: LOR-C-A

5. FOIA REQUEST OF JUNE 30, 2011 CONSISTING OF 1 PAGE MARKED AS (EXHIBIT 13); CERTIFIED US MAIL RECEIPT NO. {7010-1870-0003-2518-5691} MARKED AS (EXHIBIT 14); AND USPS TRACK & CONFIRMED STATUS REPORT AS (EXHIBIT 15).

5(a). DELIVERED, JULY 21, 2011, 11:06 am WASHINGTON, DC 20530.

6. FOIA REQUEST OF JULY 4, 2011 CONSISTING OF 2 PAGES MARKED AS (EXHIBIT 16 & 17); CERTIFIED US MAIL RECEIPT NO. {7010-1870-0003-2518-5707} MARKED AS (EXHIBIT 17); AND USPS TRACK & CONFIRMED STATUS REPORT AS (EXHIBIT 18).

6(a). DELIVERED, JULY 21, 2011, 11:06 am, WASHINGTON, DC 20530.

7. I HAVE RECEIVED " NO RESPONSE " TO MY SIX (6) EXPEDITED FOIA REQUEST(S) LISTED ABOVE 1-6 TO DATE.

8. I APPEAL THE " DENIAL " OF MY SIX (6) EXPEDITED FOIA REQUEST(S) LISTED ABOVE "1-6."

9. I PROMISE TO PAY UP TO \$25.00 US DOLLARS IN FEES, BUT ONLY IF INFORMED BEFORE YOU SEARCH OF ESTIMATED FEES.

10. THESE SIX (6) EXPEDITED FOIA REQUEST(S) ARE MADE FOR MY PERSONAL NON-COMMERCIAL USE.

11. ALL SIX (6) EXPEDITED FOIA REQUEST(S) WERE SIGNED, PURSUANT TO 28 U.S.C. ss. 1746.

12. ALL SIX (6) EXPEDITED FOIA REQUEST(S) ARE ATTACHED AND MARKED [EXHIBITS 1-18].

13. ALL SIX (6) EXPEDITED FOIA REQUEST(S) DOCUMENT(S) SHOULD BE HELD AT THE US ATTORNEY'S OFFICE AT 401 1st STREET SE, SUITE 400, CEDAR RAPIDS, IA 52401, [CRIMINAL CASE 06-CR-01019-LRR].

14. ALL SIX (6) EXPEDITED FOIA REQUEST(S) WERE RECEIVED BY THE US ATTORNEY'S OFFICE IN WASHINGTON, DC.

I DECLARE UNDER PENALTY OF PERJURY, THAT THE FOREGOING IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, AND THAT I AM THE PERSON NAMED ABOVE, PURSUANT TO 28 U.S.C. ss. 1746.

DATED: SEPTEMBER __04__, 2011.

RESPECTFULLY SUBMITTED,



TRULINCS 09797029 - WALDNER, ROGER - Unit: LOR-C-A



ROGER D. WALDNER, pro se
U.S.M. No. 09797-029
Federal Prison Camp-Loretto
P.O. Box 1000
Loretto, PA 15940-1000

CERTIFICATE OF SERVICE:

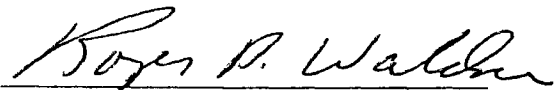
I CERTIFY THAT ON SEPTEMBER 04, 2011, I MAILED, VIA USPS POSTAGE PREPAID, CERTIFIED NO. {7008-1830-0002-7304-2555}, A COPY OF THESE DOCUMENT(S) (EXPEDITED FOIA APPEAL(S) AND ATTACHMENT(S) 1-18) TO THE FOLLOWING PARTY: ⇨09797-029⇨

Usdj Foia Appeal
Suite 11050
1425 NEW YORK AVE NW
USDJ Disclosure Officer
Washington, DC 20530-0001

PROOF OF SERVICE FOR INSTITUTIONALIZED OR INCARCERATED LITIGANTS:

I CERTIFY THAT THESE DOCUMENT(S) WERE PUT INTO THE FEDERAL PRISON MAILBOX AT LORETTO PRISON CAMP, LORETTO, PA ON SEPTEMBER 04, 2011, FOR FORWARDING TO THE PARTY LISTED ABOVE. I CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, PURSUANT TO 28 U.S.C. ss. 1746.

RESPECTFULLY SUBMITTED,



ROGER D. WALDNER, pro se
U.S.M. NO. 09797-029
FEDERAL PRISON CAMP-LORETTO
P.O. BOX 1000
LORETTO, PA 15940-1000

U.S. Postal Service™	
CERTIFIED MAIL™ RECEIPT	
(Domestic Mail Only; No Insurance Coverage Provided)	
For delivery information visit our website at www.usps.com	
Roger D. Waldner 09797-029	
Postage	\$ 1.55
Certified Fee	2.85
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.40
Sent	⇨09797-029⇨
Street or P.O. City,	Usdj Foia Appeal Suite 11050 1425 NEW YORK AVE NW USDJ Disclosure Officer Washington, DC 20530-0001

7304 2555 0002 7304 2555

LORETTO PA

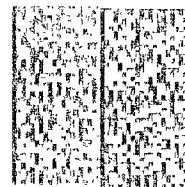
Postmark Here

PSF

U.S. Department of Justice
Executive Office for United States Attorneys
FOIA/DC

600 E St., NW
Room 7300 BICV
Washington D.C. 20530
Official Business

ROGER D. WALDNER
#09797-029
FPC, PO BOX 1000
LORETTTO, PA 15940-1000



US OFFICIAL MAIL
\$300 Penalty
For Private Use
\$00.44
US POSTAGE

*Rec'd by
10/23/2011
RPW*

Legal Mail - Open Only In
Presence of Inmate

1594001000 0004

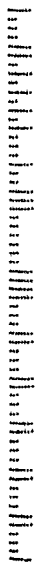


EXHIBIT 3, pp. 1-3



Executive Office for United States Attorneys
Freedom of Information & Privacy Staff
600 E Street, N.W., Suite 7300, Bicentennial Building
Washington, DC 20530-0001
(202) 252-6020 FAX 252-6047 (www.usdoj.gov/usao)

Requester: Roger D. Waldner Request Number: 11-2710

Subject of Request: Self (Specific Records)/IAN

Dear Requester:

SEP 2013

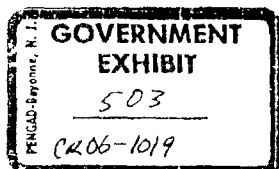
Your request for records under the Freedom of Information Act/Privacy Act has been processed. This letter constitutes a reply from the Executive Office for United States Attorneys, the official recordkeeper for all records located in this office and the various United States Attorneys' offices. To provide the greatest degree of access authorized by the Freedom of Information Act and the Privacy Act, we have considered your request in light of the provisions of both statutes.

All of the records you seek are being made available to you. We have processed your request under the Freedom of Information Act and are making all records required to be released, or considered appropriate for release as a matter of discretion, available to you. **Please note that the district did not locate any documents that show the Minutes of Meetings of the Board of Directors for Solace.** This letter is a full release.

This is the final action on this above-numbered request. You may appeal this decision on this request by writing to the **Office of Information Policy, United States Department of Justice, 1425 New York Avenue, Suite 11050, Washington, D.C. 20530-0001.** Both the letter and envelope should be marked "FOIA Appeal." Your request must be received by OIP within 60 days from the date of this letter. If you are dissatisfied with the results of any such administrative appeal, judicial review may thereafter be available in U.S. District Court, 28 C.F.R. § 16.9.

Sincerely,

Susan B. Gerson
Acting Assistant Director



CORPORATE AUTHORIZATION RESOLUTION

REVOKED

State Bank Winslow-Warren
233 Carver Street, PO BOX 188
Winslow, IL 61089-0188
(815) 367-5011
Referred to in this document as "Financial Institution"

By:
Solace Transfer
A Division of Dubuque Logistics Inc
3000 Elm St
Dubuque, IA 52001
Referred to in this document as "Corporation"

I, Janet Carr, certify that I am Secretary (clerk) of the above named corporation organized under the laws of IL, Federal Employer I.D. Number 42-1463619, engaged in business under the trade name of Solace Transfer, and that the resolutions on this document are a correct copy of the resolutions adopted at a meeting of the Board of Directors of the Corporation duly and properly called and held on December 19, 2001 (date). These resolutions appear in the minutes of this meeting and have not been rescinded or modified.

AGENTS Any agent listed below, subject to any written limitations, is authorized to exercise the powers granted as indicated below:

Name and Title or Position	Signature	Facsimile Signature (if used)
A. <u>Roger D. Waldner, CEO</u>	X <u>Roger D. Waldner CEO</u> X	
B. <u>Galley Smith, President</u>	X <u>Galley Smith</u> X	
C. <u>Janet Carr, Sec/Treas</u>	X <u>Janet Carr</u> X	
D. <u>Donald L Wendel, CFO</u>	X <u>Donald L Wendel CFO</u> X	
E. _____	X _____ X	
F. _____	X _____ X	

POWERS GRANTED (Attach one or more Agents to each power by placing the letter corresponding to their name in the area before each power. Following each power indicate the number of Agent signatures required to exercise the power.)

Indicate A, B, C, E, and/or F	Description of Power	Indicate number of signatures required
<u>A, D*</u>	(1) Exercise all of the powers listed in this resolution. D* Can advance funds on existing lines of credit only	
	(2) Open any deposit or share account(s) in the name of the Corporation.	<u>1</u>
<u>B, C</u>	(3) Endorse checks and orders for the payment of money or otherwise withdraw or transfer funds on deposit with this Financial Institution.	<u>1</u>
	(4) Borrow money on behalf and in the name of the Corporation, sign, execute and deliver promissory notes or other evidences of indebtedness.	<u>1</u>
	(5) Endorse, assign, transfer, mortgage or pledge bills receivable, warehouse receipts, bills of lading, stocks, bonds, real estate or other property now owned or hereafter owned or acquired by the Corporation as security for sums borrowed, and to discount the same, unconditionally guarantee payment of all bills received, negotiated or discounted and to waive demand, presentment, protest, notice of protest and notice of non-payment.	<u>1</u>
	(6) Enter into a written lease for the purpose of renting, maintaining, accessing and terminating a Safe Deposit Box in this Financial Institution.	<u>1</u>
	(7) Other _____	

LIMITATIONS ON POWERS The following are the Corporation's express limitations on the powers granted under this resolution.

IRS 0002256

EFFECT ON PREVIOUS RESOLUTIONS This resolution supersedes resolution dated 12/18/2001. If not completed, all resolutions remain in effect.

CERTIFICATION OF AUTHORITY

I further certify that the Board of Directors of the Corporation has, and at the time of adoption of this resolution had, full power and lawful authority to adopt the foregoing resolutions and to confer the powers granted to the persons named who have full power and lawful authority to exercise the powers. (Apply seal below where appropriate.)

☐ If checked, the Corporation is a non-profit corporation.

In Witness Whereof, I have subscribed my name to this document and affixed the seal of the Corporation on _____ (date).

Attest by One Other Officer

Secretary

"FOIA DOCUMENT(S) REQUEST"

Disclosure Officer

Freedom of Information Act/Privacy Act Unit

Executive Office for the United States Attorney General

600 E. Street, N.W. Rm. 7300

Washington, DC 20530

Name: Roger D. Waldner; Address: Federal Prison Camp-Loretto, P.O. BOX 1000, U.S.M. No. 09797-029, Loretto, PA 15940-1000; Birthdate: 2-14-63; Birthplace: Beadle County, Huron, SD; Social Security No. 503-90-5261.

This is a request under The Freedom of Information Act, 5 U.S.C. § 552; The Privacy Act, 5 U.S.C. § 552(a); and pursuant to 28 U.S.C. § 1657(a).

I promise to pay up to \$25.00 in fees, but only if informed before your search of the estimated fees. This request is made for my personal, non-commercial use.

I request a copy of the following DOCUMENT(S): Held at the U.S. Attorney's Office at 401 1st Street SE, Suite 400 Cedar Rapids, IA 52401; Criminal Case No: 06-cr-01019-LLR and Civil No. 10-cv-1003-LLR.

1. A copy of any Stock Certificate of Nationwide Cartage Company, an Iowa Corporation, registered in Roger D. Waldner's name, pursuant to I.C.S. § 490.10;
2. A copy of any Document(s) from the records of Nationwide Cartage Company, an Iowa Corporation, which shows that Roger D. Waldner owned any shares of that Company on July 18, 2002, pursuant to I.C.S. § 490.10;
3. A copy of any Document(s) which shows that Roger D. Waldner owned any shares of Nationwide Cartage Company on July 18, 2002, pursuant to I.C.S. § 490.10;
4. A copy of Document which shows that Nationwide Cartage Company, an Iowa Corporation, had adopted Roger D. Waldner as a Director, Officer, or Employee on or before July 18, 2002, pursuant to I.C.S. § 490.840-2;
5. A copy of any Document(s) which shows that Roger D. Waldner was elected as an Officer of Nationwide Cartage Company, an Iowa Corporation, by its Board of Directors, or Appointed as an Officer by an Existing Officer of the Corporation on or before

July 18, 2002, pursuant to I.C.S. § 490.840;

6. A copy of any Document(s) which shows that Galley W. Smith was Elected as an Officer of Nationwide Cartage Company, an Iowa Corporation, by its Board of Directors, or Appointed as an Officer by an Existing Officer of the Corporation on or before July 18, 2002, pursuant to I.C.S. § 490.840;

7. A copy of any Document(s) which shows that Nationwide Cartage Company, an Iowa Corporation, had any Minutes of Meetings by the Board of Directors, and approved By-Laws of the Corporation, pursuant to I.C.S. § 490.

I declare under penalty of perjury under the laws of the United States of America that the forgoing is true and correct, and that I am the person named above, pursuant to 28 U.S.C. § 1746. DATED: June 28, 2011.

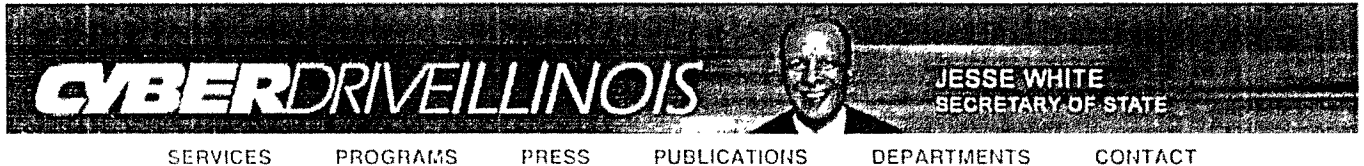
Respectfully submitted,

Roger D. Waldner

Roger D. Waldner, pro se, 09797-029,
Federal Prison Camp-Loretto,
P.O. BOX 1000,
Loretto, PA 15940-1000.
7010 1870 0003 2518 5325

U.S. Postal Service™	
CERTIFIED MAIL™ RECEIPT	
<i>(Domestic Mail Only; No Insurance Coverage for ...)</i>	
For delivery information visit our website at www.usps.com	
Roger D. Waldner 09797-029	
Postage	\$.44
Certified Fee	2.85
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 3.29
09797-029	
Disclosure Officer United States Attorneys 600 E ST NW Room 7300 Washington, DC - 20052	

Postmark: JUN 28 2011 PA 15940



CORP/LLC - CERTIFICATE OF GOOD STANDING

Your search for Solace Transfer, a Division of Dubuque Logistics, Inc., did not match any records in the Corporation/LLC-GS Search database.

Please try again.

[Return to Search](#)

[BACK TO CYBERDRIVEILLINOIS.COM HOME PAGE](#)

Search Results

Go

Matt Schultz

Business Services

Search Databases

Online Filings

Voter/lections

Notaries

Nonprofits

Youth/Civic Events

Press/Media

Publications

About the Office

Useful Links

Contact Us

Home → Search Databases → Iowa Corporations → Results

Search Databases

[Iowa Corporations](#)

[UCC Certified](#)

[Federal Tax Liens](#)

[Notary](#)

[28E Agreement](#)

[UCC Alternative](#)

[Financial Disclosure](#)

Iowa Corporations - Results

Searched: **Solace Transfer, a Division of Dubuque Logistics**

No Results

[Screen Help](#)

[Home](#) | [State of Iowa](#) | [Site Map](#) | [Contact Us](#)



United States Department of Justice

Executive Office for United States Attorneys

Freedom of Information and Privacy Staff

*Suite 7300, Bicentennial Building
600 E Street, N.W.
Washington, DC 20530*

*(202) 252-6020
FAX (202) 252-6047*

Request Number: 11-2498

20 SEP 2011

Requester: Roger D. Waldner

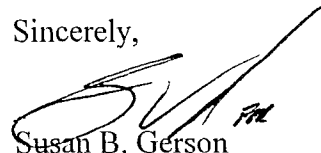
Dear Mr. Waldner:

We are currently searching for documents responsive to your FOIA/PA request, and we have reached the two hours of search time provided to you at no charge. We estimate that an additional one to two hours will be required to complete the search for the records you requested. Our normal fee for search time is \$28 per hour, thus resulting in a fee for search time of \$28.00 - \$56.00. In addition, you should note that we charge \$0.10 per page for duplication of documents that are released to you after the first 100 pages, which are free. Therefore it is clear that charges will exceed \$25.

In accordance with Department of Justice Regulation, specifically 28 CFR 16.11(e), when a requester has been notified that estimated fees amount to more than \$25.00, the request shall not be considered received and further work shall not be completed until the requester agrees to pay the anticipated fees. If you wish to reduce the amount of fees, you may reformulate your request. Records identified for release after processing will not be released until payment has been received.

In order for your request to be processed, we must hear from you within 30 days of the date of this letter or we will close your request. Please complete the attached form and return to the above address. If you have any questions about this letter or the form to be completed, or if you wish to narrow the scope of your request you may write to the attention of Attorney-Advisor Sean J. Vanek of this office at the above address.

Sincerely,


Susan B. Gerson
Acting Assistant Director

Note: You may appeal this response by writing to the Office of Information Policy, United States Department of Justice, 1425 New York Avenue, Suite 11050, Washington D.C. 20530-0001. Your letter must be received by that office within 60 days of the date of this letter.

Requester: Roger D. Waldner

Request Number: 11-2498

CHOOSE ONE

 Please do not search any longer. **I understand that I am entitled to the first 100 pages free.** If you have found releasable documents, send me the free documents and close my case.

 Please do not search any longer. I wish to withdraw my request.

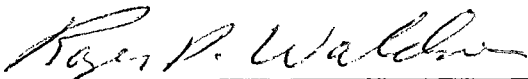
 x I agree to pay the search fee of \$28.00 - \$56.00 as indicated above. **I understand that this payment is required even if no documents are located or released to me.** In the event that documents are located and released to me, I understand that I may be charged duplication fees in addition to search fees.

 I wish to reformulate my request in an attempt to reduce search fees. Please limit my request to the following documents, and notify me of any revised search fee amount: \$ _____

(Please note that a search for specific records may require more search time and fees).

 x I agree to pay up to the following amount for search time. What is needed?

I understand that this payment is required even if no documents are located or released to me. In the event that documents are located and released to me, I understand that I may be charged duplication fees in addition to search fees.



Name **Roger D. Waldner, 09797-029**

10/24/11

Date

Please return to:

EOUSA
FOIA/PA
600 E. Street, N.W., Room 7300
Washington D.C., 20530

Executive Office for United States Attorneys

DESIGN

 $73(1) \text{ BICV}$

Washington, DC 20530

Official Business

#09797-029

LORETTO FCI, P.O. BOX 1000

LORETTIO, PA 15940

U.S. OFFICIAL MAIL
\$300 Penalty
For Private Use

[illegible]

Recher
9/28/2012
Pru

**Legal Mail - Open Only In
Presence of Inmate**

[illegible][illegible]



U.S. Department of Justice

Executive Office for United States Attorneys
Freedom of Information & Privacy Staff
600 E Street, N.W., Suite 7300, Bicentennial Building
Washington, DC 20530-0001
(202) 252-6020 FAX 252-6047 (www.usdoj.gov/usao)

Requester: Roger D. Waldner Request Number: 11-2498

Subject of Request: Self (Specific Records)/IAN

Dear Requester:

SEP 24 2012

Your request for records under the Freedom of Information Act/Privacy Act has been processed. This letter constitutes a reply from the Executive Office for United States Attorneys, the official recordkeeper for all records located in this office and the various United States Attorneys' offices. To provide the greatest degree of access authorized by the Freedom of Information Act and the Privacy Act, we have considered your request in light of the provisions of both statutes.

We have processed your request under the Freedom of Information Act and are making all records required to be released, or considered appropriate for release as a matter of discretion, available to you. This letter is a full release.

This is the final action on this above-numbered request. You may appeal this decision on this request by writing to the **Office of Information Policy, United States Department of Justice, 1425 New York Avenue, Suite 11050, Washington, D.C. 20530-0001**. Both the letter and envelope should be marked "FOIA Appeal." Your request must be received by OIP within 60 days from the date of this letter. If you are dissatisfied with the results of any such administrative appeal, judicial review may thereafter be available in U.S. District Court, 28 C.F.R. § 16.9.

Sincerely,

Susan B. Gerson
Assistant Director

JUN-25-02 TUE 10:18 AM H & W DBQ
JUN-18-2002 07:42

FAX NO 563 583 6027

P. 2

CORPORATE AUTHORIZATION RESOLUTION

By: NATIONWIDE CARTAGE INC
3000 ELM ST
DUBUQUE IA 52001STATE BANK WINSLOW-WARREN
WINSLOW IL 61089

Referred to in this document as "Financial Institution"

Referred to in this document as "Corporation"

I, IOWA, certify that I am Secretary (clerk) of the above named corporation organized under the laws of IOWA, Federal Employer I.D. Number 42-1523947, engaged in business under the trade name of NATIONWIDE CARTAGE, and that the resolutions on this document are a correct copy of the resolutions adopted at a meeting of the Board of Directors of the Corporation duly and properly called and held on 6/18/2002 (date). These resolutions appear in the minutes of this meeting and have not been rescinded or modified.

AGENTS Any agent listed below, subject to any written limitations, is authorized to exercise the powers granted as indicated below:

Name and Title or Position	Signature	Facsimile Signature (if used)
A. ROGER D. WALDNER	X <u>R. D. Waldner</u> X	
LOIS LEX	X <u>Lois Lex</u> X	
B. LINDA SCHUELLER	X <u>Linda Schueller</u> X	
C. SUE AMERSON	X <u>Sue Amerson</u> X	
D. GALLEY SMITH	X <u>Galley Smith</u> X	
E. MICHAEL J MATTOX	X _____ X	

POWERS GRANTED (Attach one or more Agents to each power by placing the letter corresponding to their name in the area before each power. Following each power indicate the number of Agent signatures required to exercise the power.)

Indicate A, B, C, D, E, and/or F	Description of Power	Indicate number of signatures required
A	(1) Exercise all of the powers listed in this resolution.	
B, C, D	(2) Open any deposit or share account(s) in the name of the Corporation.	1
B, C, D	(3) Endorse checks and orders for the payment of money or otherwise withdraw or transfer funds on deposit with this Financial Institution.	1
	(4) Borrow money on behalf and in the name of the Corporation, sign, execute and deliver promissory notes or other evidences of indebtedness.	
	(5) Endorse, assign, transfer, mortgage or pledge bills receivable, warehouse receipts, bills of lading, stocks, bonds, real estate or other property now owned or hereafter owned or acquired by the Corporation as security for sums borrowed, and to discount the same, unconditionally guarantee payment of all bills received, negotiated or discounted and to waive demand, presentment, protest, notice of protest and notice of non-payment.	
B, C, D	(6) Enter into a written lease for the purpose of renting, maintaining, accessing and terminating a Safe Deposit Box in this Financial Institution.	
E, F	(7) Other <u>GALLEY SMITH & MICHAEL MATTOX INQUIRY ONLY</u>	

LIMITATIONS ON POWERS The following are the Corporation's express limitations on the powers granted under this resolution.

EFFECT ON PREVIOUS RESOLUTIONS This resolution supersedes resolution dated _____. If not completed, all resolutions remain in effect.

CERTIFICATION OF AUTHORITY

I further certify that the Board of Directors of the Corporation has, and at the time of adoption of this resolution had, full power and lawful authority to adopt the foregoing resolutions and to confer the powers granted to the persons named who have full power and lawful authority to exercise the same. (Apply seal below where appropriate.)

☐ If checked, the Corporation is a non-profit corporation.

In Witness Whereof, I have subscribed my name to this document and affixed the seal of the Corporation on _____ (date).

Attest by One Other Officer

Secretary

IRS 0002263

JAN-27-2004 14:15
JAN-18-2004 05:11

ORANGEVILLE COMM. BANK

12582 P.02/05

State Bank Winslow-Marion 00
233 Carter St., PO Box 188
Winslow, IL 61899-0188

ACCOUNT
NUMBER 10989

ACCOUNT OWNER(S) NAME & ADDRESS
Nation Wide Carriage Inc
3000 Elm St
Dubuque, IA 52001

OWNERSHIP OF ACCOUNT - CONSUMER PURPOSE

- ☐ INDIVIDUAL ☐ _____
☐ JOINT - WITH SURVIVORSHIP (and not to be named in document)
☐ JOINT - NO SURVIVORSHIP (as named in document)
☐ TRUST - SEPARATE AGREEMENT:

☐ REVOCABLE TRUST OR ☐ PAY-ON-DEATH
 DESIGNATION AS DEFINED IN THIS AGREEMENT
 Name and Address of Beneficiary:

TYPE OF ACCOUNT ☒ NEW ☐ EXISTING
☒ CHECKING ☐ SAVINGS
☐ MONEY MARKET ☐ CERTIFICATE OF DEPOSIT
☐ NOW ☐ _____

This is your (check one): ☒ Business Checking Account
☐ Permanent ☐ Temporary account agreement.

Number of signatures required for withdrawal 1

FACSIMILE SIGNATURE(S) ALLOWED ☐ YES ☒ NO

OWNERSHIP OF ACCOUNT - BUSINESS PURPOSE

- ☐ SOLE PROPRIETORSHIP
☒ CORPORATION: ☒ FOR PROFIT ☐ NOT FOR PROFIT
☐ PARTNERSHIP
☐ _____

BUSINESS:
 COUNTY & STATE
 OF ORGANIZATION:

AUTHORIZATION DATED: _____

[X]

SIGNATURE(S) - The undersigned agree to the terms stated on every page of this form and acknowledge receipt of a completed copy. The undersigned further authorizes the financial institution to verify credit and employment history and/or have a credit reporting agency prepare a credit report on the undersigned, as individuals. The undersigned also acknowledge the receipt of a copy and agree to the terms of the following disclosure(s):

- ☐ Deposit Account ☐ Funds Availability ☐ Privacy
☐ Electronic Funds Transfer ☐ Truth in Savings
☐ _____

DATE OPENED 08/18/02 BY CSD

INITIAL DEPOSIT \$ 0.00

☐ CASH ☐ CHECK ☐ _____

HOME TELEPHONE # _____

BUSINESS PHONE # _____

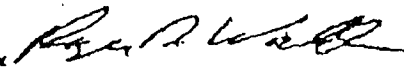
DRIVER'S LICENSE # _____

E-MAIL _____

EMPLOYER _____


MOTHER'S MARDEN NAME _____

Name and address of someone who will always know your location: _____

(1) [X] 

Roger D. Waldner

I.D. # _____ D.O.B. _____

(2) [X] 

SUE AMERSON

I.D. # _____ D.O.B. _____

(3) [X] _____

I.D. # _____ D.O.B. _____

(4) [X] _____

I.D. # _____ D.O.B. _____

(5) [X] _____

I.D. # _____ D.O.B. _____

(6) [X] _____

I.D. # _____ D.O.B. _____

(7) [X] _____

I.D. # _____ D.O.B. _____

BACKUP WITHHOLDING CERTIFICATIONS

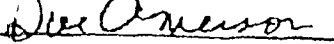
TIN: 42-1523947

☐ TAXPAYER I.D. NUMBER - The Taxpayer Identification Number shown above (TIN) is my correct taxpayer identification number.

☐ BACKUP WITHHOLDING - I am not subject to backup withholding either because I have not been notified that I am subject to backup withholding as a result of a failure to report all interest or dividends, or the Internal Revenue Service has notified me that I am no longer subject to backup withholding.

☐ EXEMPT RECIPIENTS - I am an exempt recipient under the Internal Revenue Service Regulations.

SIGNATURE: I certify under penalty of perjury the statements checked in this section and that I am a U.S. person (including a U.S. resident alien).

x  6/25/002

(Date)

EXP-10 © 1992 Bank Systems Inc., St. Cloud, MN Form MFC-102/IL 11/21/2000

(page 1 of 2)

IRS 0002262

p.4



CHESTER J. CULVER
Secretary of State
State of Iowa

IOWA 2002
BIENNIAL REPORT
for an
IOWA
CORPORATION
Required by Iowa Code chapter 490

CHESTER J. CULVER
Secretary of State
FILED
Date: 3/29/2002 19:48
Corporation No.: 256026
Certification No.: A02256026

1. Name of the Corporation, its registered agent and registered office

NATIONWIDE CARTAGE COMPANY
G W SMITH
903 N VIEW DR
CENTER POINT, IA, 52213

2. ☒ The Corporation has no officers. ☐ The Corporation has no directors.

3. Officer(s)

☐ Pres ☐ Sec ☐ Treas ☒ Dir

Name

SMITH, G W

Address

2345 SUNNYSLOPE

Address

City

DUBUQUE, IA

State

IA

Zip

52002

Country

USA

4. Address of the Principal Office of the Corporation

Address

3000 ELM STREET, SUITE 101

Address

— Address for H's, W

City

DUBUQUE

State

IA

Zip

52001

Country

USA

5. Does the corporation hold an interest in agricultural land in Iowa? No

6. Is the corporation a "family farm corporation?" No

7. Signed: G W SMITH Capacity: DIRECTOR

COPY

09157



Lois Lex-

Page 1



CHESTER J. CULVER
Secretary of State
State of Iowa

256026
STATEMENT OF CHANGE
OF REGISTERED OFFICE
AND/OR
REGISTERED AGENT

Pursuant to Iowa law, the undersigned submits this Statement to change the business entity's registered office and/or registered agent in Iowa. Read the INSTRUCTIONS on the back of this form before completing the information and signing below.

1. The NAME of the business entity is: NATIONWIDE CARTAGE COMPANY

2. The street address of the CURRENT registered OFFICE as indicated on the Secretary of State's records is:

903 N VIEW DR CENTER POINT IA 52213
street city state zip

3. The street address of the NEW registered OFFICE is:

2345 SUNNYSLOPE DUBUQUE IA 52002
street city state zip

4. The name of the CURRENT registered AGENT as indicated on the Secretary of State's records is:

G W SMITH

(If more than one AGENT is registered, indicate which one is being replaced.)

5. The name of the NEW registered AGENT is:

6. If the REGISTERED AGENT has changed, the NEW Registered Agent must sign here, consenting to their appointment. attach their written consent to this form.

Signature of NEW Registered Agent

Complete ONLY if the Registered Agent changes.

7. If the REGISTERED AGENT changes the street address of their business office on this form, the Registered Agent must sign here indicating that NOTICE of the change has been given to the business entity.

Signature of Registered Agent

Complete ONLY if the Registered Agent changes the street address of their business office.

8. After any/all change(s) are made, the street address of the registered office and the street address of the business office of the registered agent will be identical.

9. Signature by authorized representative:

Date: 04/05/02

Print Name and Title: G. W. SMITH
Name

CHAIRMAN OF
Title

FILED
IOWA
SECRETARY OF STATE
4-11-02
2:50 PM

W301823

